

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 01-830-CIV-KING/O'SULLIVAN

GOVERNMENT OF THE ARUBA,

Plaintiff,

vs.

RAFAEL A. SANCHEZ,  
MOTORSPORTS AMERICAS, INC.,  
and SANCHEZ MOTORSPORTS  
GROUP, INC.,

Defendants.

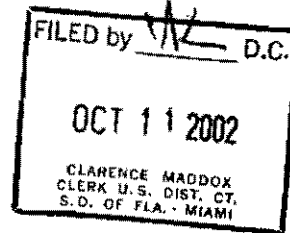
\_\_\_\_\_  
MOTORSPORTS AMERICAS, INC.  
and SANCHEZ MOTORSPORTS  
GROUP, INC.,

Counter-Plaintiffs,

v.

GOVERNMENT OF THE ARUBA,

Counter-Defendant.  
\_\_\_\_\_



ORDER GRANTING  
EMERGENCY MOTION FOR ORDER *NUNC PRO TUNC*  
AUTHORIZING  
WRITS OF GARNISHMENT AFTER JUDGMENT

THIS CAUSE is before the Court upon the Defendants/Counter-Plaintiffs' Emergency Motion for Order *Nunc Pro Tunc* Authorizing Writs of Garnishment After Judgment.

After a careful review of the record and the Court being otherwise fully advised, the Court finds, pursuant to 28 United States Code Section 1610(c) of the Foreign Sovereign Immunities Act, that a reasonable period of time has elapsed following the entry of judgment and that Defendant/Counter-Plaintiff, Government of Aruba, has not posted a *supersedeas* bond and

has indicated that it will not make payment of the judgment and will not post a *supersedeas* bond. As a result, it is

**ORDERED and ADJUDGED** that the Emergency Motion for Order *Nunc Pro Tunc* Authorizing Writs of Garnishment After Judgment is hereby GRANTED. It is further,

**ORDERED and ADJUDGED**, that the following writs previously issued and served are authorized pursuant 28 United States Code Section 1610(c) of the Foreign Sovereign Immunities Act, *nunc pro tunc* as of the date of their issuance:

- American Airlines, Inc. – issued on September 27, 2002, served on September 27, 2002;
- Aruba Tourism Authority – issued on September 27, 2002, served on October 1, 2002;
- Aruba Convention Bureau – issued on September 27, 2002, served on October 2, 2002;
- Celebrity Cruises, Inc. – issued on September 27, 2002, served on September 27, 2002;
- El Paso Corporation – issued on September 27, 2002, served on El Paso LLC on September 30, 2002, answer dated October 1, 2002;
- El Paso Merchant Energy Company – issued on October 3, 2002, served on October 4, 2002;
- Merrill Lynch & Co. – issued on September 27, 2002, served on September 27, 2002, answer dated September 30, 2002, amended answer dated October 8,

2002;

- Merrill Lynch Pierce Fenner & Smith Incorporated - issued October 8, 2002, served on October 8, 2002, answer dated October 8, 2002;
- Norwegian Cruise Lines, Inc. – issued on September 27, 2002, served on September 27, 2002;
- Royal Caribbean Cruises, Ltd. – issued on September 27, 2002, served on September 27, 2002;
- Star Clippers, Ltd., Corp. issued on September 27, 2002, served on September 30, 2002; and
- U.S. Airways, Inc. – issued on September 27, 2002, served on September 27, 2002.

**DONE and ORDERED** in Chambers, at the James Lawrence King Federal Building and United States Courthouse, Miami, Florida, on this 11 day of October \_\_, 2002.

  
JAMES LAWRENCE KING  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF FLORIDA